

# 1955 SUPPLEMENT OKLAHOMA STATUTES

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Laws of a General and Permanent Nature  
1953—24th Legislature, Regular Session  
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*Directly Supplementing Oklahoma Statutes 1951*



Oklahoma Statutes Annotated Classification

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§ 907. Activities prohibited—Permits.—(a) It shall be unlawful for any person to cause pollution as defined in Section 2(a) of this Act<sup>1</sup> of any waters of the State or to place or cause to be placed any wastes in a location where they are likely to cause pollution of any waters of the State. Any such action is hereby declared to be a public nuisance.

(b) It shall be unlawful for any person to carry on any of the following activities without first securing such permit from the Board, as is required by it, for the disposal of all industrial wastes which are or may be discharged thereby into the waters of the State: (1) the construction, installation, modification or operation of any industrial disposal system or part thereof or any extension or addition thereto; (2) the increase in volume or strength of any industrial wastes in excess of the permissive discharges specified under any existing permit; (3) the construction, installation, or operation of any industrial or commercial establishment or any extension or modification thereof or addition thereto, the operation of which would cause an increase in the discharge of wastes into the waters of the State or would otherwise alter the physical, chemical or biological properties of any waters of the State in any manner not already lawfully authorized; (4) the construction or use of any new outlet for the discharge of any wastes into the waters of the State; (5) The State Department of Health shall have the responsibility for issuing permit for the construction and installation of municipal sewage disposal systems and shall report to the Board such technical information as the Board requires relative to such systems.

The Board under such conditions as it may prescribe, may require the submission of such plans, specifications and other information as it deems relevant in connection with the issuance of such permits. Laws 1955, p. 478, § 5.

<sup>1</sup> Probably should be "Section 3." Section 905 of this title.

*Waters and Water Courses* § 64 et seq.

§ 908. Classification of waters.—(a) In order to effectuate a comprehensive program for the prevention, control and abatement of pollution of the waters of this State, the Board is authorized to group such waters into classes according to their present and future best uses for the purpose of progressively improving the quality of such waters and upgrading them from time to time by reclassifying them, to the extent that is practical and in the public interest. Standard of quality for each such classification consistent with best present and future use of such waters may be adopted by the Board and from time to time modified or changed.

(b) Prior to classifying waters or setting standard or modifying or repealing such classifications or standards the Board shall conduct public hearings for the consideration, adoption or amendment of the classification of waters and standard of purity and quality thereof shall specify the waters concerning which a classification is sought to be made or for which standards are sought to be adopted and the time, date, and place of such hearing, provided said hearing shall be held in the area affected;

such notice shall be published at least twice in a newspaper of general circulation in the area affected and shall be mailed at least twenty (20) days before such public hearing to the chief executive of each political subdivision of the area affected and may be mailed to such other persons as the Board has reason to believe may be affected by such classification and the setting of such standards.

(c) The adoption of standards of quality of the waters of the State and classification of such waters or any modification or change thereof shall be effectuated by an order of the Board which shall be published in a newspaper of general circulation in the area affected. In classifying waters and setting standards of water quality or making any modification or change thereof, the Board shall announce a reasonable time for persons discharging waste into the waters of the State to comply with such classifications or standards, unless such discharges create an actual or potential hazard to public health.

Any discharge in accord with such classification or standards shall not be deemed to be pollution for the purpose of this Act. Laws 1955, p. 478, § 6.

*Waters and Water Courses* § 64 et seq.

§ 909. Violations—Notice and hearing—Revocation or denial of Permits—Emergencies.—

(a) Whenever the Board determines there are reasonable grounds to believe that there has been a violation of any of the provisions of this Act or of any order of the Board, it may give written notice to the alleged violator or violators specifying the cause of complaint. Such notice shall require that the matters complained of be corrected or that the alleged violator appear before the Board at a time and place specified in the notice and answer the charges complained of, provided said hearings shall be held in the area affected; the notice shall be delivered to the alleged violator or violators in accordance with the provisions of Subsection (e) of this Section not less than fifteen (15) days before the time set for the hearing.

(b) The Board shall afford an opportunity for a fair hearing in accordance with the provisions of Section 8<sup>1</sup> to the alleged violator or violators at the county seat of the county wherein the alleged violation has occurred. On the basis of the evidence produced at the hearing the Board shall make findings of fact and conclusions of law and enter such order as in its opinion will best further the purpose of this Act and shall give written notice of such order to the alleged violator and to such other persons as shall have appeared at the hearing and made written request for notice of the order. If the hearing is held before any person other than the Board itself, such person shall transmit the record of the hearing together with recommendations for findings of fact and conclusion of law to the Board which shall thereupon enter its order on the basis of such record and recommendations. The order of the Board shall become final and binding on all parties unless appealed to the district court as provided in Section 11 of this Act within fifteen (15) days after notice has been sent to the parties.